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8 *Attorney for Defendant*
9 *Byron Porter*

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,

2:19-cr-00269-JCM-EJY

13 Plaintiff,

**Stipulation to Continue
Sentencing and
PSR-Objection Deadline
(THIRD Request)**

14 vs.

15 BYRON PORTER,

16 Defendants.

17 It is hereby stipulated and agreed, by and between CHRISTOPHER
18 CHIOU, Acting United States Attorney, through DANIEL E. CLARKSON,
19 Assistant United States Attorney, and WILLIAM BROWN, counsel for
20 defendant Byron Joshua Jarell Porter, that:
21

- 22 (1) Byron Porter's sentencing date in the above-captioned matter,
23 currently scheduled for October 29, 2021, at 10:00 a.m., be vacated
24 and continued at least ninety (90) days, to January 31, 2022, or to a
25 time convenient to the Court; and
26 (2) the LCR 32-1(b) deadline to submit informal objections to the
27 presentence investigation report (PSR) shall be continued at least
28 sixty (60) days, up to and including December 29, 2021.

1 This Stipulation is entered into for the following reasons:

2 1. This is the third requested continuance for sentencing.

3 2. The defense is currently investigating sentencing issues and
4 gathering relevant information from multiple sources, including attempting
5 to obtain medical records and other documents from third parties.
6

7 3. The defense requires further time to complete its investigation, to
8 gather relevant information, and, once obtained, to analyze and synthesize
9 the information so that it may be appropriately presented to the Court in a
10 sentencing memorandum.
11

12 4. Also, Mr. Porter has recently undergone neuropsychological
13 testing and evaluation.
14

15 5. The defense may likely seek to have some of the relevant
16 information from the testing and evaluation added to and incorporated in the
17 PSR.
18

19 6. The defense has discussed this with the PSR's author, who does
20 not object to considering subsequent requests to supplement the PSR with
21 relevant information.
22

23 7. The defendant is in custody and does not object to the requested
24 continuances of the sentencing date or the PSR-objection deadline.
25
26
27
28

8. The government does not object to continuing either date.

Date: September 15, 2021

Counsel for BYRON PORTER

CHRISTOPHER CHIOU

Acting United States Attorney

/s/ William Brown

/s/ Daniel E. Clarkson

WILLIAM H. BROWN

DANIEL E. CLARKSON

BROWN MISHLER, PLLC

Assistant United States Attorney

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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 vs.

16 BYRON PORTER,

17 Defendants.

2:19-cr-00269-JCM-EJY

**Order Continuing Sentencing
and
PSR-Objection Deadline**

18 Based on the pending stipulation of counsel, and good cause appearing
19 therefore, the Court hereby: (1) vacates the current sentencing date of
20 October 29, 2021, at 10:00 a.m., and continues it to February 11, 2022
21 at 10:00 A.M.; and (2) extends the LCR 32-1(b) deadline to submit informal
22 objections to the presentence investigation report (PSR), to January 7, 2022
23

24 DATED September 15, 2021.

25
26 
27 _____
28 UNITED STATES DISTRICT JUDGE